

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROBERT J. GIUFFRA and MARY GIUFFRA,

Plaintiffs,

v.

VANTAGE TRAVEL SERVICE, INC. d/b/a  
VANTAGE DELUXE WORLD TRAVEL,

Defendant.

Civil Action No.: 13-cv-6880 (KBF)

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the Declaration of James W. Weller dated March 23, 2015 together with the exhibits attached thereto, the Declaration of Alicia Guevara dated March 23, 2015 together with the exhibits attached thereto, the Declaration of Pieter Enright dated March 18, 2015 together with the exhibits attached thereto, the accompanying Memorandum of Law, and all prior pleadings and proceedings herein, defendant Vantage Travel Service, Inc. (“Vantage”), will move before the Honorable Katherine B. Forrest, at the United States District Court located at 500 Pearl Street, New York, New York 10007, for an Order, pursuant to Federal Rule of Civil Procedure 56, dismissing the Complaint of plaintiffs Robert J. Giuffra and Mary Giuffra, in its entirety, and for such other and further relief the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the briefing schedule So-Ordered by the Court on February 24, 2015 (ECF No. 36), opposition papers, if any, must be filed and served by no later than April 13, 2015. Reply papers, if any, must be filed and served by no later than April 20, 2015.

Dated: March 23, 2015  
Jericho, New York

**NIXON PEABODY LLP**

By: /s/ James Weller  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on March 23, 2015, I electronically filed the foregoing *Notice of Motion for Summary Judgment, Rule 56.1 Statement of Material Facts, the Declaration of James Weller in Support of Summary Judgment with Exhibits thereto, the Declaration of Alicia Guevara with Exhibits thereto, the Declaration of Pieter Enright with Exhibits thereto, and the Memorandum of Law in Support of Summary Judgment* with the Clerk of Court by using the CM/ECF system which will send notice of electronic filing to the following:

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/s/ James Weller  
James W. Weller